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8 **UNITED STATES DISTRICT COURT**
9 **SOUTHERN DISTRICT OF CALIFORNIA**

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11 **ERIK KNUTSON and KEVIN**
12 **LEMIEUX, Individually and on**
13 **Behalf of All Others Similarly**
14 **Situated,**

15 Plaintiffs,

16 v.

17 **SCHWAN'S HOME SERVICE,**
18 **INC.; and CUSTOMER**
19 **ELATION, INC.,**

20 Defendants.

Case No: 12-CV-964 GPC (DHB)

**ORDER GRANTING JOINT
MOTION FOR LEAVE TO
FILE INSTANTER
STATEMENTS OF FACT AND
RESPONSES REGARDING
PLAINTIFFS' MOTION FOR
SUMMARY JUDGMENT**

(ECF NO. 102)

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22 Having considered the parties' Joint Motion to For Leave to File Instanter
23 Statements of Fact and Responses Regarding Plaintiffs' Motion for Summary
24 Judgment, (ECF No. 102), and good cause appearing, the Court hereby **GRANTS**
25 the Joint Motion. Accordingly, it is hereby **ORDERED** as follows:

26 1. Defendants are granted leave to file the following documents
27 *instanter*: Defendants' Separate Statement of Additional Undisputed Facts, (ECF
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1 No. 102-1); and Defendants' Response to Plaintiffs' Statement of Undisputed
2 Facts, (ECF No. 102-2). The exhibits to these documents were attached to
3 Defendants' Memorandum of Points and Authorities in Opposition to Plaintiffs'
4 Motion for Summary Judgment, (ECF No. 98), are already in the record, and need
5 not be re-filed.

6 2. Plaintiffs are granted leave to file the following documents *instanter*:
7 Plaintiffs' Response to Defendants' Separate Statement of Additional Undisputed
8 Material Facts, (ECF No. 102-3); Plaintiffs' Response to Defendants' Response to
9 Plaintiffs' Statement of Undisputed Facts, (ECF No. 102-4); and the supporting
10 Declaration and Exhibits, (ECF Nos. 102-5, 102-6, 102-7, 102-8).

11 **IT IS SO ORDERED.**

12 DATED: September 17, 2013



HON. GONZALO P. CURIEL
United States District Judge